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15 *Attorneys for Plaintiffs*

16 **UNITED STATES DISTRICT COURT**  
17 **FOR THE DISTRICT OF NEVADA**

18 ESTATE OF NEKIYLO DEWAYNE  
19 GRAVES, by and through Eureka Graves as  
20 next-of-kin, personal representative and its  
21 Special Administrator SHANNON L.  
22 EVANS; EUREKA GRAVES, an individual,

23 Plaintiffs,

24 vs.

25 NYE COUNTY, NEVADA, a political  
26 subdivision of the State of Nevada; JOHN  
27 KAKAVULIAS, an individual and employee  
28 of Nye County, Nevada; SOC NEVADA,  
LLC, a foreign limited liability company  
(d/b/a “SOC, LLC”); TRE’QUIS HARRIS,  
an individual and employee of SOC Nevada,  
LLC; DOES I -X; ROES I-X,

Defendants.

Case No. 2:20-cv-2359-JAD-DJA

**JOINT STIPULATION TO EXTEND  
PLAINTIFFS’ TIME TO RESPOND TO  
DEFENDANTS’ MOTION TO DISMISS**

**(FIRST REQUEST)**

ECF No. 63

25 Pursuant to Federal Rule of Civil Procedure (“FRCP”) 6 and the Court’s Local of Civil  
26

1 Practice (“LR”) 7-1, Plaintiffs and Defendants (John Kakavulias and Nye County, Nevada)  
 2 hereby stipulate, subject to the Court’s approval, to extend by 21-days (or until February 11,  
 3 2022) Plaintiffs’ time to respond to the pending motion to dismiss (ECF No. 54). Plaintiffs’  
 4 response is currently due today, January 21, 2022. In support of this Stipulation, the parties rely  
 5 upon the following:  
 6

- 7       1. Plaintiffs initiated this civil action on December 31, 2020 alleging the wrongful  
       8 death of Nekiylo Graves. ECF No. 1.
- 9       2. Subsequently, and with leave of Court, a First Amended Complaint was filed by  
 10 Plaintiffs on December 2, 2021. ECF No. 35.
- 11       3. On January 7, 2022, Defendants John Kakavulias and Nye County, Nevada filed a  
 12 motion to dismiss Plaintiffs’ First Amended Complaint. ECF No. 54.
- 13       4. Two days earlier, on January 5, 2022, Defendants Tre’Quis Harris and SOC Nevada,  
 14 LLC filed a motion for protective order. ECF No. 53. Plaintiffs timely responded to that  
 15 motion on January 18, 2022. ECF No. 62.
- 16       5. Plaintiffs need additional time to respond to the pending motion to dismiss.

17 Undersigned counsel for Plaintiffs has explained the reasons to defense counsel which include  
 18 the following: (1) during the past week Plaintiffs’ counsel was busy responding to the motion  
 19 for protective order (ECF No. 62), (2) during the past two weeks, Plaintiffs’ counsel was  
 20 exceedingly busy with discovery matters in two other civil cases pending in state court which  
 21 required his immediate time and attention and (3) during the midst of the foregoing, Plaintiffs’  
 22 counsel’s office has experienced staff shortages related to COVID which has imposed  
 23  
 24  
 25

additional burdens upon undersigned counsel for Plaintiffs. Plaintiffs' counsel believes an additional 21-days will provide sufficient time to respond to Defendants' 26-page motion to dismiss. Given the significance of any dispositive motion, Plaintiffs must have sufficient time to properly respond to motion filed by Defendants in this case.

6. The parties agree that good cause exists to support this request for a 21-day extension of time and that the Court should approve this Stipulation to permit Plaintiffs to respond to the pending motion to dismiss on or before February 11, 2022.

Respectfully submitted,

/s/ Brent Ryman

/s/ Paul S. Padda

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Attorney for Defendants Nye County and  
John Kakavulias

Attorney for Plaintiffs

Dated: January 21, 2022

## IT IS SO ORDERED:

U.S. District Judge Jennifer A. Dorsey  
January 24, 2022, *nunc pro tunc* to January 21, 2022